

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CURTIS DARYL DAY, JR.,  
Plaintiff,**

**Civil Action No. 7:22-cv-00097**

**v.**

**WESTERN VIRGINIA REGIONAL JAIL,  
Defendant(s),**

**MEMORANDUM OPINION**

**By: Thomas T. Cullen  
United States District Judge**

Plaintiff, proceeding pro se, filed a civil rights complaint under 42 U.S.C. §1983. By order entered February 18, 2022, the court directed plaintiff to submit, within 20 days from the date of the order, an inmate account form and a certified copy of plaintiff's trust fund account statement for the months of December 2021 and January 2022, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during those months. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court will dismiss the action without prejudice and strike the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTERED this 24th day of March, 2022.

/s/ Thomas T. Cullen

United States District Judge